

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GALE FITZPATRICK and THE  
ESTATE OF COLIN FITZPATRICK,  
Plaintiffs,

v.

UNIVERSAL TECHNICAL  
INSTITUTE, INC.  
Defendant.

Civil Action No. 08-1137

**ORDER**

AND NOW, this 11th day of August, 2010, for the reasons stated in the accompanying memorandum, it is hereby ORDERED that defendant's motion to dismiss (docket no. 46) is GRANTED. Plaintiffs' second amended complaint is DISMISSED WITH PREJUDICE.

BY THE COURT:

/s/Louis H. Pollak  
Pollak, J.